

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Filip Woroniecki	Team: Squad #12	CCRB Case #: 201802101	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 03/01/2018 1:17 PM	Location of Incident: [REDACTED]	Precinct: 61	18 Mo. SOL 9/1/2019	EO SOL 9/1/2019	
Date/Time CV Reported Mon, 03/19/2018 8:54 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Mon, 03/19/2018 8:54 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Thomas Bartlett	15851	957364	PSA 1
2. An officer			PSA 1

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Emil Israil	00395	936799	PSA 1
2. POM Wilfred Guzman	20424	953941	PSA 1

Officer(s)	Allegation	Investigator Recommendation
A.POM Thomas Bartlett	Discourtesy: Police Officer Thomas Bartlett acted discourteously toward § 87(2)(b) [REDACTED]	[REDACTED]
B. An officer	Discourtesy: An officer acted discourteously toward § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On March 19, 2018, § 87(2)(b) filed this complaint with the CCRB in-person.

On March 1, 2018, starting at about 1:17 p.m., § 87(2)(b) made numerous phone calls to Patrol Service Area 1 to speak to a supervisor about PSA 1 officers who were at her door on February 28, 2018. § 87(2)(b) was connected to PO Thomas Bartlett of PSA 1 and an officer, who identified himself to § 87(2)(b) as “Sergeant Wilson.” PO Bartlett allegedly disconnected the call with § 87(2)(b) on more than one occasion (**Allegation A: Discourtesy – Action, § 87(2)(g)**) and an unidentified officer allegedly disengaged their call more than once (**Allegation B: Discourtesy – Action, § 87(2)(g)**).

§ 87(2)(b) recorded three of her phone calls to PSA1 (**Board Review 01, 02 and 03**).

Allegation A: Discourtesy: Police Officer Thomas Bartlett acted discourteously toward

§ 87(2)(b)

Allegation B: Discourtesy: An officer acted discourteously toward § 87(2)(b)

§ 87(2)(b) did not remember the date and time of the incident, however, the audio recordings of her conversations with PO Bartlett and an unidentified male officer indicated that she contacted PSA 1 on March 1, 2018 starting at 1:17 p.m. § 87(2)(b) stated that upon being connected to PSA 1, she spoke with PO Bartlett, who introduced himself to her as such. As § 87(2)(b) discussed a PSA 1 officer against whom she filed an IAB complaint in the past, PO Bartlett disconnected the call. § 87(2)(b) added that she called back multiple times to further discuss the issue and PO Bartlett hung up on her on more than one occasion. During one call, § 87(2)(b) asked to speak to a supervisor and was transferred to “Sergeant Wilson.” § 87(2)(b) did not remember whether the individual with whom she spoke introduced himself as “Sergeant Wilson” or if she learned his name from PO Bartlett or another officer. As § 87(2)(b) spoke to this officer, he abruptly disconnected their conversation. When § 87(2)(b) called back, she confronted this officer about hanging up the phone, and he replied that he “didn’t want to talk.” § 87(2)(b) added that this officer disconnected their call on more than one occasion, and in total, he and PO Bartlett hung up the phone about five times (**Board Review 04**).

Audio recording # 1 was obtained from § 87(2)(b)’s cellphone and was embedded below.



201802101_20180326_1506_DM.3gp

The recording depicts one of § 87(2)(b)’s phone conversations with PO Bartlett, who at 00:15 minutes on the recording introduces himself by stating his name, rank and command. For roughly eight minutes, § 87(2)(b) informs PO Bartlett about her interaction with PSA 1 officers on February 28, 2018, and at 07:58 minutes on the recording, PO Bartlett states to § 87(2)(b) “You have a good night, okay?” § 87(2)(b) replies, “Okay, you too” and PO Bartlett responds, “Okay, bye.” The call disconnects at 08:03 minutes (**Board Review 01**).

Audio recording # 2 was obtained from § 87(2)(b)’s cellphone and was embedded below.



201802101_20180326_1506A_DM.3gp

At 00:59 minutes on the recording, § 87(2)(b) requests that PO Bartlett transfers her call to a sergeant. At 01:02 minutes, a male voice states, “Yes ma’am” and § 87(2)(b) asks if she is speaking with “Sergeant Wilson.” At 01:08 the same voice replies, “Yes ma’am.” § 87(2)(b) then confronts the officer about hanging up the phone during their prior conversation and the officer informs § 87(2)(b) that her call is being recorded. At 01:44 minutes, the call is abruptly disengaged (**Board Review 02**).

Audio recording # 3 was obtained from § 87(2)(b)'s cellphone and was embedded below.



201802101_20180326_1506B_DM.3gp

§ 87(2)(b) repeatedly talks over an officer, identified by her as “Sergeant Wilson.” At 00:27 minutes on the recording, the officer asks § 87(2)(b) what is her complaint, and she replies, “What is my complaint? You should have asked me before you hang up on me three or four times.” The male officer then states, “I am here for you” and § 87(2)(b) talks over him in a loud tone. At 00:45 minutes, § 87(2)(b) states, “Have a nice day you bastard you bitch!” and she hangs up the call. At 00:49 minutes, § 87(2)(b) can be heard saying, “Just hung up on him” right before the recording ends (**Board Review 03**).

PO Bartlett had no independent recollection of this incident and stated that on the day of the incident, he did not begin his tour until 3:00 p.m. PO Bartlett added that on the day of the incident, he worked as sergeant’s operator and that he did not have a stationhouse assignment. PO Bartlett did not remember whether he worked on any tasks inside of the stationhouse, though he confirmed that as the Sergeant’s operator, he could have been asked to cover desk or telephone switchboard operator duties. PO Bartlett did not remember having a phone conversation with § 87(2)(b) or hanging up on her. He also did not remember transferring any calls to a supervisor (**Board Review 05**).

PO Wilfred Guzman, who worked as the T/S operator at the alleged time of the incident, had no independent recollection of this incident. PO Guzman did not remember whether he hung up the phone while speaking to § 87(2)(b). He also did not remember if throughout his tour, he transferred a call to a sergeant, or any other officer at his command. PO Guzman is not familiar with PO Bartlett, but he did not hear or observe PO Bartlett hang up the phone on § 87(2)(b). PO Guzman did not remember whether any other officers temporarily covered his assignment. PO Guzman further stated that there were no officers with the first or last name “Wilson” working at PSA 1 and that he did not introduce himself as a sergeant or “Sergeant Wilson” § 87(2)(b). He confirmed that no officer at PSA 1 went by nickname “Wilson” or introduced himself as such on the phone. PO Guzman also reviewed audio recordings obtained from § 87(2)(b) and he did not recognize the voice allegedly belonging to “Sergeant Wilson” (**Board Review 06**).

Sgt. Emil Israil, who was the desk supervisor at the alleged time of this incident, stated that even though he was informed by other officers at PSA 1 that § 87(2)(b) is a “frequent caller” he never interacted with her in person or § 87(2)(b). Sgt. Israil did not remember whether he spoke to any civilians on the phone and he did not know if PO Bartlett or PO Guzman received phone calls from § 87(2)(b). Sgt. Israil was seated at the front desk until about 3:00 p.m. on the day of the incident, and denied hanging up the phone while speaking to § 87(2)(b). He also did not observe PO Bartlett or PO Guzman do the same and he was never informed that

either one of them disconnected a phone call involving § 87(2)(b) Sgt. Israil further stated that there are no officers with the first or last name “Wilson” assigned to PSA 1. Sgt. Israil added that no officers at PSA 1, including himself, go by the nickname “Wilson” or introduce themselves as such on the phone. Sgt. Israil reviewed the audio recording of the conversation between § 87(2)(b) and alleged “Sergeant Wilson” and he did not know who the voice in the recording belonged to **(Board Review 07)**.

The T/S Log for the day of the incident references PO Guzman as being the T/S Operator for the day of the incident. The T/S Log does not list § 87(2)(b)'s name, address, or call back number. It also does not list any officer with the first or last name “Wilson.” **(Board Review 08)**. Tour 2 Roll Call for the day of March 1, 2018, lists Sgt. Israil as the desk supervisor and PO Guzman as the T/S Operator. It does not reference any officers with the first or last name “Wilson” **(Board Review 09)**. As per the command log for the day of the incident, Sgt. Israil was assigned to the desk from 7:00 a.m. to 11:30 a.m. and from 12:40 p.m. to 3:00 p.m. **(Board Review 10)**. On May 9, 2018, a phone call was placed to MOS Wheel, and SPAA Jones confirmed that no sergeant with the first or last name “Wilson” was assigned to PSA 1 at the time of this incident **(Board Review 11)**.

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has filed four prior CCRB complaints **(Board Review 12)**.
- PO Bartlett has been a member of service for three years and has not been a subject of any prior allegations **(Board Review 13)**.

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation for this case.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

- As of May 29, 2018, there was no Notice of Claim filed for this complaint (**Board Review 15**).

Squad No.: 12

Investigator: _____ INV. WORONIECKI 06/26/2018
Signature Print Title & Name Date

Squad Leader: _____ IM RIGIE _____
Signature Print Title & Name Date

Reviewer: _____ _____
Signature Print Title & Name Date